

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

GEORGE SIMS

V.

HERCULES OFFSHORE, INC.

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CIVIL ACTION NO. G-10-543

OPINION AND ORDER

The filing of the “Agreed Motion for Continuance” by the Parties on January 15, 2013, prompted this Court to conduct a Hearing, by telephone, with counsel of record; the current Motion is the Parties’ fifth request for a continuance. Having now conferred with counsel, the Court issues this terse Opinion and Order.


Plaintiff, George Sims, a Jones Act seaman, alleges that he was struck in the head by a loose cable while working aboard a drilling rig owned and operated by Hercules. Since the accident Sims has suffered a plethora of medical problems, but the most problematic is recurrent seizures, the causes of which have not been organically determined. The unexplained seizures have created a classic *post hoc ergo propter hoc* dilemma. Consequently, the Parties’ medical experts have vastly different opinions about the extent of Sims’ injuries. The Parties have designated their experts, but they elected to put off the expense of deposing the numerous out of state fact witnesses and experts in the hope of successfully mediating the case. Unfortunately, Sims’ elusive medical diagnoses undermined a mediated resolution and made it apparent, at this time, that a trial will most likely be required. Under these fairly unique circumstances, the Court will grant the Motion.

It is, therefore, **ORDERED** that the “Agreed Motion for Continuance” (Instrument no. 37) of the Parties is **GRANTED** and the present Docket Call date of February 19, 2013, is **VACATED**.

It is further **ORDERED** that this cause is **RESET** for **Docket Call** on **September 3, 2013, at 10:00 a.m.**, before the United States District Court, 601 - 25th Street, 6th Floor Courtroom, Galveston, Texas.

No further continuances will be granted by this Court without extreme good cause.

DONE at Galveston, Texas, this 17th day of January, 2013.



John R. Froeschner
United States Magistrate Judge